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6 Pacific Bell Telephone Company

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 JOHN M. HIGDON, et al.,

Case No. C08-03526

12 Plaintiff,

**STIPULATION RE CONTINUING
HEARING DATE OF PACIFIC BELL
TELEPHONE COMPANY'S MOTION
TO DISMISS PLAINTIFF'S FOURTH
AMENDED COMPLAINT AND
MOTION TO STRIKE IMPROPER
ALLEGATIONS UNDER
FED.R.CIV.P. 9(b), 12(b)(1), 12(b)(6),
12(f); ~~PROPOSED~~ ORDER**

13 vs.

14 PACIFIC BELL TELEPHONE COMPANY dba
15 AT&T CALIFORNIA, a California corporation,
et al

16 Defendant.

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18 Current Hearing Date: March 18, 2010
New Hearing Date: April 1, 2010
19 Time: 1:30 p.m.
Courtroom: 3

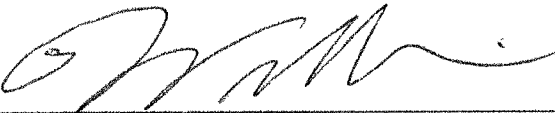
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21 Pacific Bell Telephone Company's current deadline to file its reply brief in regard to its
22 Motion to Dismiss Plaintiff's Fourth Amended Complaint and Motion to Strike Improper
23 Allegations is March 4, 2010. Due to an unexpected family emergency of co-counsel, and
24 counsel being currently out of town, Pacific Bell Telephone Company is unable to file its reply
25 brief in a timely manner. Therefore, Pacific Bell Telephone Company and Plaintiff stipulate to
26 moving the hearing date on the Motion to April 1, 2010 at 1:30 p.m. Pacific Bell Telephone
27 Company and Plaintiff further stipulate that Pacific Bell Telephone Company's reply brief must
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1 be filed no later than March 11, 2010.

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DATED: March 2, 2010

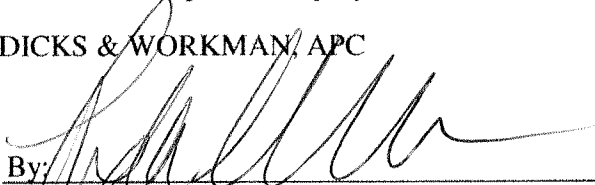
AT&T SERVICES, INC. LEGAL DEPT.

By: 

WALID S. ABDUL-RAHIM
Attorneys for Defendant
Pacific Bell Telephone Company

DATED: March 2, 2010

DICKS & WORKMAN, APC

By: 

LINDA WORKMAN
Attorneys for Plaintiff
John M. Higdon

IT IS SO ORDERED

Dated: 03/02/2010

By: 
Hon. Richard Seeborg, Judge